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Attorneys for Plaintiffs CRAIG YATES
 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual; and
 DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION, SERVICES: HELPING
 YOU HELP OTHERS, a California public
 benefit corporation,

Plaintiffs,

v.

ZEPHYR CAFE; MAGDALENE Y. HO,
 TRUSTEE OF THE NG REVOCABLE
 LIVING TRUST, and TRUSTEE OF THE
 NG SURVIVOR'S TRUST; and WON
 HYUN ENTERPRISES INC., a California
 corporation,

Defendants,

CASE NO. CV-08-02293-PJH

**STIPULATION OF DISMISSAL AND
~~PROPOSED~~ ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

STIPULATION OF DISMISSAL AND ~~PROPOSED~~ ORDER THEREON

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action be and hereby is dismissed with prejudice
3 pursuant to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one
5 original document.

6
7 Dated: August 17, 2009

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

8
9 By: /S/
Thomas E. Frankovich
10 Attorneys for Plaintiffs CRAIG YATES and
11 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES

12 E
13 Dated: August 19, 2009

ROPER, MAJESKI, KOHN & BENTLEY

14
15 By: /S/
Jaemin Chang
16 Attorneys for Defendant WON HYUN
ENTERPRISES INC.

17
18 Dated: August 17, 2009

ROBERT S. OCHS
ATTORNEY AT LAW

19
20 By: /S/
Robert Ochs
21 Attorney for Defendant MAGDALENE Y. HO,
22 TRUSTEE OF THE NG REVOCABLE LIVING
TRUST, and TRUSTEE OF THE NG
23 SURVIVOR'S TRUST

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STIPULATION OF DISMISSAL AND ~~[PROPOSED]~~ ORDER THEREON

MAGDALENE Y. HO, TRUSTEE OF THE NG
REVOCABLE LIVING TRUST, and TRUSTEE OF
THE NG SURVIVOR'S TRUST
In Pro Per

By: _____ /S/
In Pro Per **Magdalene Y. Ho,**

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary.

DATED: August 28, 2009

Honorable Phyllis J. Hamilton
United States District Judge

